

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**1:13 cr 03**

**UNITED STATES OF AMERICA**

**Vs.**

**DOUGLAS CHERRY, JR.,**

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**ORDER**

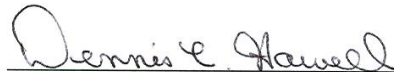
**THIS MATTER** has come before the undersigned, pursuant to a Motion For Recusal of Council (sic) for Ineffective Assistance of Council (sic) (#10) filed by the Defendant *pro se*. This matter came on before the undersigned on March 7, 2014. At the call of the matter on for hearing at a closed session, the Defendant advised the Court that his motion had been filed due to a misunderstanding Defendant had concerning his case and he wished to withdraw the motion. The undersigned made an examination of Defendant to ensure that Defendant was withdrawing his motion voluntarily and that Defendant had not received any promise nor any threat that had caused him to seek to withdraw his motion against his will. Defendant advised the Court it was his voluntary desire to withdraw his motion.

Based upon the statements of the Defendant, as set forth herein, the undersigned enters the following order.

## ORDER

**IT IS, THEREFORE, ORDERED** that the Motion For Recusal of Council (sic) for Ineffective Assistance of Council (sic) (#10) filed by Defendant is hereby considered to be **WITHDRAWN** by the Defendant and **Dismissed**.

Signed: March 11, 2014



Dennis L. Howell  
United States Magistrate Judge

